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**U.S. DISTRICT COURT
FOR THE
DISTRICT OF NEVADA**

Kent P. Woods makes this Declaration pursuant to 28 U.S.C. § 1746:

21 1. I am Kent P. Woods, an attorney at the firm of Woods Erickson & Whitaker LLP
22 and counsel for non-party witnesses MF Corporate Services (Nevada) Limited (“MF Nevada”)
23 and Patricia Amunategui (“Ms. Amunategui”) in the above-captioned case.

24 2. I submit this declaration in support of MF Nevada’s and Ms. Amunategui’s
25 Emergency Motion to Exclude NML Capital Ltd.’s Proposed Demonstrative Exhibits and to
26 Enforce Protective Order (the “Motion”). I have personal knowledge of the facts set forth
27 herein, and if called upon to do so, would testify thereto.

1 3. On December 10, 2014, counsel for NML submitted to me a series of presentation
2 materials, comprising approximately seventy printed pages. Counsel characterized them as
3 demonstrative exhibits to be submitted to the Court in connection with a hearing to be held on
4 December 12, 2014.

5 4. Upon preliminary review of the proposed exhibits, I informed counsel that in
6 addition to several evidentiary issues, that the exhibits as constituted contained references and
7 citations to certain Confidential Discovery Material, the use of which is governed by the
8 Protective Order entered by this Court.

9 5. On December 11, 2014, counsel for NML informed me that NML would remove
10 from its presentation the pages containing Confidential Discovery Material for presentation to
11 the Court *in camera*, if the Court grants various motions to seal this material and does not restrict
12 public access to the proceedings.

13 6. Counsel for Val De Loire, LLC, informed me that he had held a substantial “meet
14 and confer” conference with NML’s counsel to discuss the evidentiary and confidentiality issues
15 at play in the proceeding and that they were unable to reach an agreement. Because the issues
16 raised by Val De Loire, LLC are the same as the concerns of MF Nevada and Ms. Amunategui
17 with respect to the proposed demonstrative exhibits, it did not appear that an additional “meet
18 and confer” session would be useful. Due to other issues arising related to preparation for the
19 December 12 hearing and response to other matters at issue for the hearing, it was not practicable
20 to meet and confer personally with counsel for NML with respect to the Motion. However, upon
21 information and belief, this was not necessary given that Val De Loire, LLC addressed similar or
22 identical concerns with NML during their conference.

23 7. Emergency action is required with respect to this matter because the hearing at
24 which NML wishes to submit its proposed exhibits is scheduled for December 12, 2014, and the
25 proposed exhibits were not submitted to MF Nevada until December 10, 2014. Response to MF
26 Nevada’s concerns was not received until earlier on the day of the filing. There is no method by
27 which these issues could be addressed in time for the December 12 hearing without emergency
28 action by this Court.

8. Based on the foregoing, I submit that pursuant to Rule 7-5(d) of the Local Rules for the United States District Court for the District of Nevada, MF Nevada and Ms. Amunategui have been unable to resolve this matter without Court action.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that, to the best of my knowledge and after reasonable inquiry, the foregoing is true and correct.

Dated this 11th day of December, 2014.

/s/ Kent P. Woods